

SIXTY-FIRST LEGISLATURE - REGULAR SESSION

SECOND DAY

House Chamber, Olympia, Tuesday, January 13, 2009

The House was called to order at 9:55 a.m. by the Speaker (Representative Morris presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

INTRODUCTION AND FIRST READING

HB 1100 by Representatives Upthegrove, Rolfes, Nelson, White and Simpson

AN ACT Relating to protecting the natural marine ecosystem from the potential risks of petroleum extraction; and amending RCW 43.143.005, 43.143.010, and 90.58.550.

Referred to Committee on Ecology & Parks.

HB 1101 by Representatives Roberts, Kagi and Kenney

AN ACT Relating to modifying a foster parent license due to a change of residence; and amending RCW 74.15.100.

Referred to Committee on Early Learning & Children's Services.

HB 1102 by Representatives Moeller, Green and Conway

AN ACT Relating to the property tax revenue limit for the county veterans' assistance levy; amending RCW 73.08.080 and 84.55.005; and creating a new section.

Referred to Committee on Finance.

HB 1103 by Representatives Moeller, Green, Morrell and Kenney

AN ACT Relating to the estates of vulnerable adults; amending RCW 11.84.010, 11.84.020, 11.84.025, 11.84.030, 11.84.040, 11.84.050, 11.84.060, 11.84.070, 11.84.080, 11.84.090, 11.84.100, 11.84.110, 11.84.120, 11.84.130, 26.16.120, 41.04.273, and 11.96A.030; and adding new sections to chapter 11.84 RCW.

Referred to Committee on Judiciary.

HB 1104 by Representatives Roberts, O'Brien and McCune

Concerning vendor rates for supported living providers.

Referred to Committee on Human Services.

HB 1105 by Representatives Williams and Moeller

AN ACT Relating to the public disclosure of records relevant to a controversy to which an agency is a party; and amending RCW 42.56.290.

Referred to Committee on State Government & Tribal Affairs.

HB 1106 by Representatives Williams and Moeller

AN ACT Relating to an agency's access to superior court for the purposes of the public disclosure act; and amending RCW 42.56.540.

Referred to Committee on State Government & Tribal Affairs.

HB 1107 by Representative Williams

AN ACT Relating to local government self-insurance programs; and amending RCW 48.62.011 and 48.62.101.

Referred to Committee on Financial Institutions & Insurance.

HB 1108 by Representatives Williams and Moeller

AN ACT Relating to the definition of criminal act for crime victims compensation purposes; and amending RCW 7.68.020.

Referred to Committee on Public Safety & Emergency Preparedness.

HB 1109 by Representatives Sullivan, Liias, Upthegrove, Simpson and Moeller

AN ACT Relating to the use of the local infrastructure financing tool for downtown development and redevelopment; repealing RCW 82.14.475, 39.102.020,

39.102.040, 39.102.070, and 39.102.904; repealing 2008 c 209 s 2 (uncodified); repealing 2007 c 229 s 17 (uncodified); and providing expiration dates.

Referred to Committee on Community & Economic Development & Trade.

HB 1110 by Representatives Sullivan, Liias, Upthegrove, Orwall and Simpson

AN ACT Relating to prohibiting advertising and marketing to students receiving home-based instruction; and adding a new section to chapter 28A.320 RCW.

Referred to Committee on Education.

HB 1111 by Representatives Eddy, Blake, Williams, Kenney and Moeller

AN ACT Relating to exempting telecommunications trucks from crane safety requirements; amending RCW 49.17.410; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1112 by Representatives Eddy, Roberts, Seaquist, Blake, White, Williams, Jacks, Dunshee, Simpson and Moeller

AN ACT Relating to constraints on the installation of solar energy systems; amending RCW 64.32.010, 64.34.020, 64.34.240, 64.34.304, and 64.38.010; adding new sections to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding new sections to chapter 64.38 RCW; and creating a new section.

Referred to Committee on Judiciary.

HJM 4002 by Representatives Sullivan, Simpson and Kenney

Requesting reauthorization of the No Child Left Behind Act to include health and fitness.

Referred to Committee on Education.

There being no objection, the bills and memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

The Senate appeared at the Chamber doors. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Brad Owen, Senate President Pro Tempore Paull Shin and Deputy Republican Leader Mike Carrell to the Rostrum. The Senators were invited to seats within the Chamber.

JOINT SESSION

The Speaker (Representative Morris presiding) called the Joint Session to order. The Clerk called the roll of the members of the House. The Clerk called the roll of the members of the Senate. A quorum of the Legislature was present.

The Speaker (Representative Morris presiding): "The purpose of this Joint Session is to comply with the constitutional requirement of canvassing the vote for and against referenda and initiatives and for the constitutional elective officers."

MESSAGE FROM THE SECRETARY OF STATE

CANVASS OF THE RETURNS OF THE GENERAL ELECTION HELD ON NOVEMBER 4, 2008

I, Sam Reed, Secretary of State of the State of Washington, do hereby certify that according to the provisions of RCW 29A.60.260, I have canvassed the returns of the 3,071,587 votes cast by the 3,630,118 registered voters of the state for and against the initiatives which were submitted to the vote of the people at the state general election held on the 4th day of November, 2008, as received from the County Auditors.

Initiative Measure No. 985

"Initiative Measure No. 985 concerns transportation.

This measure would open high-occupancy vehicle lanes to all traffic during specified hours, require traffic light synchronization, increase roadside assistance funding, and dedicate certain taxes, fines, tolls and other revenues to traffic-flow purposes."

Yes	1,163,216
No	1,744,156

Initiative Measure No. 1000

"Initiative Measure No. 1000 concerns allowing certain terminally ill competent adults to obtain lethal prescriptions.

This measure would permit terminally ill, competent, adult Washington residents, who are medically predicted to have six months or less to live, to request and self-administer lethal medication prescribed by a physician."

Yes	1,715,219
No	1,251,255

Initiative Measure No. 1029

"Initiative Measure No. 1029 concerns long-term care services for the elderly and persons with disabilities. This measure would require long-term care workers to be certified as home care aides based on an examination, with exceptions; increase training and criminal background check requirements; and establish disciplinary standards and procedures."

Yes	2,113,773
No	800,733

I further certify that, according to the provisions of RCW 43.07.030, I have canvassed the returns of the votes cast at the state general election held on the 4th day of November, 2008, for all federal, statewide, and joint legislative and judicial offices, and that the votes cast for candidates for these offices are as follows:

format change to accommodate text

President/Vice President		Votes
Barack Obama / Joe Biden	(Democratic Party Nominees)	1,750,848
John McCain / Sarah Palin	(Republican Party Nominees)	1,229,216
Ralph Nader / Matt Gonzalez	(Independent Candidates)	29,489
Gloria La Riva / Eugene Puryear	(Socialism & Liberation Party Nominees)	705
James E. Harris / Alyson Kennedy	(Socialist Workers Party Nominees)	641
Bob Barr / Wayne A. Root	(Libertarian Party Nominees)	12,728
Chuck Baldwin / Darrell L. Castle	(Constitution Party Nominees)	9,432
Cynthia McKinney / Rosa Clemente	(Green Party Nominees)	3,819
U.S. Congressional District 1 - Representative		
Jay Inslee	(Prefers Democratic Party)	233,780
Larry Ishmael	(Prefers G.O.P. Party)	111,240
U.S. Congressional District 2 - Representative		
Rick Larsen	(Prefers Democratic Party)	217,416
Rick Bart	(Prefers Republican Party)	131,051
U.S. Congressional District 3 - Representative		
Brian Baird	(Prefers Democratic Party)	216,701
Michael Delavar	(Prefers Republican Party)	121,828
U.S. Congressional District 4 - Representative		
Doc Hastings	(Prefers Republican Party)	169,940
George Fearing	(Prefers Democratic Party)	99,430
U.S. Congressional District 5 - Representative		
Cathy McMorris Rodgers	(Prefers Republican Party)	211,305
Mark Mays	(Prefers Democratic Party)	112,382
U.S. Congressional District 6 - Representative		
Norm Dicks	(Prefers Democratic Party)	205,991
Doug Cloud	(Prefers Republican Party)	102,081
U.S. Congressional District 7 - Representative		
Jim McDermott	(Prefers Democratic Party)	291,963
Steve Beren	(Prefers Republican Party)	57,054
U.S. Congressional District 8 - Representative		
Dave Reichert	(Prefers Republican Party)	191,568
Darcy Burner	(Prefers Democratic Party)	171,358
U.S. Congressional District 9 - Representative		
Adam Smith	(Prefers Democratic Party)	176,295
James Postma	(Prefers Republican Party)	93,080
Governor		
Christine Gregoire	(Prefers Democratic Party)	1,598,738
Dino Rossi	(Prefers G.O.P. Party)	1,404,124
Lieutenant Governor		
Brad Owen	(Prefers Democratic Party)	1,718,033
Marcia McCraw	(Prefers Republican Party)	1,107,634
Secretary of State		
Sam Reed	(Prefers Republican Party)	1,644,587
Jason Osgood	(Prefers Democratic Party)	1,175,086

State Treasurer

Allan Martin	(Prefers Republican Party)	1,360,063
Jim McIntire	(Prefers Democratic Party)	1,420,022

State Auditor

Brian Sonntag	(Prefers Democratic Party)	1,770,977
J. Richard (Dick) McEntee	(Prefers Republican Party)	1,016,396

Attorney General

Rob McKenna	(Prefers Republican Party)	1,689,764
John Ladenburg	(Prefers Democratic Party)	1,152,174

Commissioner of Public Lands

Doug Sutherland	(Prefers Republican Party)	1,385,903
Peter J. Goldmark	(Prefers Democratic Party)	1,416,904

Superintendent of Public Instruction

Teresa (Terry) Bergeson		1,211,909
Randy Dorn		1,333,290

Insurance Commissioner

Mike Kreidler	(Prefers Democratic Party)	1,679,696
John R. Adams	(Prefers Republican Party)	1,056,693

Legislative District 1 - State Senator

Rosemary McAuliffe	(Prefers Democratic Party)	36,628
Dennis Richter	(Prefers Republican Party)	26,583

Legislative District 1 - State Representative Pos. 1

Al O'Brien	(Prefers Democratic Party)	48,791
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Legislative District 1 - State Representative Pos. 2

Mark Ericks	(Prefers Democratic Party)	47,846
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Legislative District 2 - State Senator

Marilyn Rasmussen	(Prefers Democratic Party)	30,206
Randi Becker	(Prefers Republican Party)	32,244

Legislative District 2 - State Representative Pos. 1

Jim McCune	(Prefers G.O.P. Party)	36,417
JeanMarie Christenson	(Prefers Democratic Party)	24,540

Legislative District 2 - State Representative Pos. 2

Tom Campbell	(Prefers Republican Party)	35,502
Michael C. Powell	(Prefers Democratic Party)	25,424

Legislative District 7 - State Representative Pos. 1

Shelly Short	(Prefers Republican Party)	30,356
Sue Lani Madsen	(Prefers Republican Party)	22,544

Legislative District 7 - State Representative Pos. 2

Joel Kretz	(Prefers Republican Party)	46,486
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Legislative District 9 - State Senator

Mark G. Schoesler	(Prefers G.O.P. Party)	41,263
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Legislative District 9 - State Representative Pos. 1

Steve Hailey	(Prefers G.O.P. Party)	32,022
Kenneth E. Caylor	(Prefers Democratic Party)	17,195

Legislative District 9 - State Representative Pos. 2

Joe Schmick	(Prefers Republican Party)	31,611
Tyana Kelley	(Prefers Democratic Party)	18,258

Legislative District 10 - State Senator

Mary Margaret Haugen	(Prefers Democratic Party)	36,835
Linda Haddon	(Prefers Republican Party)	31,917

Legislative District 10 - State Representative Pos. 1

Norma Smith	(Prefers G.O.P. Party)	34,038
Tim Knue	(Prefers Democratic Party)	33,558

Legislative District 10 - State Representative Pos. 2

Barbara Bailey	(Prefers Republican Party)	37,068
Patricia J. Terry	(Prefers Democratic Party)	29,833

Legislative District 12 - State Senator

Linda Evans Parlette	(Prefers G.O.P. Party)	43,993
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Legislative District 12 - State Representative Pos. 1

Cary Condotta	(Prefers Republican Party)	40,662
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Legislative District 12 - State Representative Pos. 2

Mike Armstrong	(Prefers Republican Party)	28,020
Courtney Cox	(Prefers Republican Party)	21,789

Legislative District 13 - State Representative Pos. 1

Judith (Judy) Warnick	(Prefers Republican Party)	39,597
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Legislative District 13 - State Representative Pos. 2

Bill Hinkle	(Prefers G.O.P. Party)	38,616
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Legislative District 15 - State Representative Pos. 1

Bruce Chandler	(Prefers Republican Party)	23,807
John (Jobs) Gotts	(Prefers Democratic Party)	15,228

Legislative District 15 - State Representative Pos. 2

Dan Newhouse	(Prefers Republican Party)	24,637
Tao Berman	(Prefers Democratic Party)	14,647

Legislative District 16 - State Senator

Mike Hewitt	(Prefers Republican Party)	42,811
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Legislative District 16 - State Representative Pos. 1

Maureen Walsh	(Prefers Republican Party)	36,697
Dante Lee Montoya	(Prefers Democratic Party)	13,885

Legislative District 16 - State Representative Pos. 2

Bill Grant	(Prefers Democratic Party)	27,648
Terry R. Nealey	(Prefers Republican Party)	23,673

Legislative District 18 - State Senator

Joseph Zarelli	(Prefers Republican Party)	39,311
Jon Haugen	(Prefers Democratic Party)	32,127

Legislative District 18 - State Representative Pos. 1

Jaime Herrera	(Prefers Republican Party)	42,355
Vanessa Duplessie	(Prefers Democratic Party)	28,226

Legislative District 18 - State Representative Pos. 2

Ed Orcutt	(Prefers Republican Party)	45,268
Jonathan Fant	(Prefers Democratic Party)	25,196

Legislative District 19 - State Senator

Brian Hatfield	(Prefers Democratic Party)	41,073
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Legislative District 19 - State Representative Pos. 1

Dean Takko	(Prefers Democratic Party)	39,935
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Legislative District 19 - State Representative Pos. 2

Brian E. Blake	(Prefers Democratic Party)	39,521
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Legislative District 20 - State Senator

Dan Swecker	(Prefers Republican Party)	39,650
Chuck Bojarski	(Prefers Democratic Party)	22,428

Legislative District 20 - State Representative Pos. 1

Richard DeBolt	(Prefers G.O.P. Party)	35,457
Mike Rechner	(Prefers Democratic Party)	26,605

Legislative District 20 - State Representative Pos. 2

Gary C. Alexander	(Prefers G.O.P. Party)	38,942
Jim Cutler	(Prefers Democratic Party)	22,605

Legislative District 24 - State Senator

Jim Hargrove	(Prefers Democratic Party)	52,742
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Legislative District 24 - State Representative Pos. 1

Kevin Van De Wege	(Prefers Democratic Party)	44,256
Thomas Thomas	(Prefers G.O.P. Party)	23,503

Legislative District 24 - State Representative Pos. 2

Lynn Kessler	(Prefers Democratic Party)	44,338
Robert (Randy) Dutton	(Prefers Republican Party)	24,274

Legislative District 26 - State Representative Pos. 1

Jan Angel	(Prefers G.O.P. Party)	33,602
Kim Abel	(Prefers Democratic Party)	29,407

Legislative District 26 - State Representative Pos. 2

Larry Seaquist	(Prefers Democratic Party)	36,183
Marlyn Jensen	(Prefers Republican Party)	26,059

Legislative District 31 - State Representative Pos. 1

Dan Roach	(Prefers Republican Party)	33,862
Ron Weigelt	(Prefers Democratic Party)	22,550

Legislative District 31 - State Representative Pos. 2

Christopher Hurst	(Prefers Democratic Party)	32,405
Sharon Hanek	(Prefers Republican Party)	22,806
Legislative District 32 - State Representative Pos. 1		
Maralyn Chase	(Prefers Democratic Party)	40,916
Alex Rion	(Prefers G.O.P. Party)	18,604
Legislative District 32 - State Representative Pos. 2		
Ruth Kagi	(Prefers Democratic Party)	47,197
Legislative District 35 - State Representative Pos. 1		
Kathy Haigh	(Prefers Democratic Party)	38,267
Marco Brown	(Prefers Republican Party)	23,788
Legislative District 35 - State Representative Pos. 2		
Fred Finn	(Prefers Democratic Party)	34,684
Randy Neatherlin	(Prefers (G.O.P.) Party)	27,185
Legislative District 39 - State Senator		
Val Stevens	(Prefers Republican Party)	36,118
Fred Walser	(Prefers Democratic Party)	25,570
Legislative District 39 - State Representative Pos. 1		
Dan Kristiansen	(Prefers R Party)	33,629
Scott Olson	(Prefers Democratic Party)	27,175
Legislative District 39 - State Representative Pos. 2		
Kirk Pearson	(Prefers Republican Party)	37,455
David E. Personius	(Prefers Democratic Party)	23,088
Legislative District 40 - State Senator		
Steve Van Luven	(Prefers Republican Party)	27,028
Kevin Ranker	(Prefers Democratic Party)	38,200
Legislative District 40 - State Representative Pos. 1		
Dave Quall	(Prefers Democratic Party)	51,568
Legislative District 40 - State Representative Pos. 2		
Jeff Morris	(Prefers Democratic Party)	44,168
Howard Pellett	(Prefers Green Party)	13,683
Supreme Court - Justice Position 3		
Mary Fairhurst		2,015,433
Supreme Court - Justice Position 4		
Charles W. Johnson		2,017,077
Supreme Court - Justice Position 7		
Debra L. Stephens		1,999,584
Court of Appeals, Division 2, District 2 - Judge Position 1		
(Joyce) Robin Hunt		242,562
Court of Appeals, Division 3, District 1 - Judge Position 2		
Kevin M. Korsmo		186,287
Court of Appeals, Division 3, District 3 - Judge Position 1		

Stephen M. Brown	104,922
Asotin, Columbia, Garfield Superior Court - Judge Position 1	
William D. (Bill) Acey	10,406
Benton, Franklin Superior Court - Judge Position 1	
Bruce Spanner	47,245
Salvador Mendoza Jr.	37,292
Ferry, Pend Oreille, Stevens Superior Court - Judge Position 1	
Rebecca M. Baker	20,998
Ferry, Pend Oreille, Stevens Superior Court Judge Position 2	
Allen C. Nielson	20,736
Klickitat, Skamania Superior Court - Judge Position 1	
E. Thompson (Tom) Reynolds	10,943
Pacific, Wahkiakum Superior Court - Judge Position 1	
Mike Sullivan	9,840

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the State of Washington, this 4th day of December, 2008.

SAM REED
Secretary of State

The Speaker (Representative Morris presiding): "In view of the election results previously read, certified to by the Secretary of State, the Joint Session now declares the following qualified citizens to be the duly elected constitutional officers of the State of Washington.:

Christine Gregoire	Governor
Brad Owen	Lieutenant Governor
Sam Reed	Secretary of State
Jim McIntire	State Treasurer
Brian Sonntag	State Auditor
Rob McKenna	Attorney General
Randy Dorn	Superintendent of Public Instruction
Mike Kreidler	Insurance Commissioner
Peter Goldmark	Commissioner of Public Lands

The Speaker and the President of the Senate signed the Certificates of Election for the duly elected constitutional officers. The Speaker (Representative Morris presiding) called upon President Owen to preside.

The President introduced the State elected officials seated on the Rostrum:

Christine Gregoire	Governor
Sam Reed	Secretary of State
Mike Murphy	State Treasurer
Brian Sonntag	State Auditor
Terry Bergeson	Superintendent of Public Instruction
Doug Sutherland	Commissioner of Public Lands

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Phoebe Sinclair and Erik Anderson. The President led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Jim Erlandson, Community of Christ, Olympia.

Reverend Erlandson: "Gracious Lord, I come to you on behalf of this assembly, offering both praise and thanksgiving. Also to pause and ask you, the creator of all things to be spiritually present in today's tasks.

I offer You thanks for all of the gift of freedom; the freedom to speak, the freedom to travel, the freedom to object or to agree with those around us, the freedoms hard won by patriots who have preceded us and freedoms which are now, in part, the responsibility of those here.

I also offer You thanks for the wonderful natural resources with which you have given this State. Not only the mineral, agricultural and geographic blessings we enjoy, but also the people and their talents that give identity and character to our

culture. Thank you especially for those who are being honored today. They have given service to the people of this State that is above and beyond expectation. Bless them in their ongoing public and private lives.

Please provide your continued blessing in the endeavors of this day and this session. Bless this body in its process of decision making, that the results may provide equity and prosperity. Bless the members and their staff who have all made significant sacrifices of time and energy to serve their fellow citizens. Bless the families of the many members separated from home and hearth in order to do the work of governance. And, may You bless the process of legislation that the result may be well crafted laws that improve the quality of life for the residents of this great State.
Amen."

The President: "As the Speaker has announced, this occasion provides all of us with the opportunity to recognize our friends who are leaving office."

HONORING STATE ELECTED OFFICIALS LEAVING OFFICE

The President: "Ladies and gentlemen, the President has the great privilege of being able to share some information about these distinguish public servants we are honoring today. They have served with great distinction over the years.

I am going to start with Commissioner of Public Lands, Doug Sutherland.

As our State's twelfth Lands Commissioner, Doug Sutherland has overseen the management of our State's 5.6 million acres of forest, range, agricultural, aquatic and commerce lands. Throughout his tenure, these resources have generated more than 200 million dollars a year in revenue, much of which has gone to support public schools, state institutions and county services. Doug was the first Commissioner of Public Lands to permanently protect the old growth forest. He led the development and the signing of the forest practices habitat conservation plan. He improved and diversified management of Washington's trust land portfolio by completing major land exchanges that resulted in the creation of two new State forests, the Ahtanum Multiple Use Area west of Yakima and the Naneum Ridge State Forest north of Ellensburg. He eliminated environmental and public safety hazards from state-owned aquatic lands by removing more than 200 sinking or sunken vessels plus nearly 11 million pounds of toxic creosote laden materials from the beaches and waters of Puget Sound and from other bodies of water in Washington State.

I was privileged to serve with Commissioner Sutherland for many years on the State Capitol Committee which provides oversight of buildings and grounds projects on our splendid capitol campus and I will miss the keen perspectives and insights he provided to this group.

Prior to these impressive accomplishments as Public Lands Commissioner, Doug was a city council member, a mayor of Tacoma, the first city manager for the City of SeaTac

and the Pierce County Executive. He has also been active on a wide variety of local boards, commissions and charities including the Pierce County Chapter of the American Heart Association, the Tacoma Youth Symphony and the Tacoma Urban League.

Commissioner, thank you very much for your incredible service to the people of the State of Washington. I hope we will still see you around working with us in the future."

Doug Sutherland: "Madam Governor, Mr. President, Mr. Speaker of the House, members of the House and Senate, I am delighted to be here and to enjoy today's celebrations.

I have over the past eight years, been blessed with significant and incredible opportunities. Opportunities to be able to serve the people of this State and to be able to serve it in such a way that not only were we able to provide significant financial, ecological, environmental and social opportunities and benefits but also to be able to serve with an incredible group of people who work in the Department of Natural Resources. This group of people, and they are only just part of the 1500 who work day in and day out, are like no other agency that I have ever been associated with. The successes that the President has outlined are not because of the things that I have done necessarily but because of the strength and the vision and the capabilities of the people who work in the Department of Natural Resources.

You folks have an incredible challenge in front of you. The lands that we manage are under your trusteeship. You have this incredible 8 to 10 billion dollar asset in which every year we are able to provide significant benefits to the people of this State – financially, socially, ecologically and environmentally. These benefits come as a result of the recognition of the historical nature of these trust lands. Do not lose the vision of the people that wrote our State constitution and those who developed the enabling acts of this State. Those legislatures which were here before, have continually provided significant direction. You must maintain that valuable vision that has been created and developed. As this State continues to grow, the demands on these lands are going to continue to grow as well. I see that as a most critical part of being able to maintain the financial, ecological, environmental and social benefits that can accrue from these lands.

This State has a great future. You have a great challenge. This year is going to be very difficult for you. And I wish you all the very best luck. God's speed and thank you so very much for your support and help in making my career here in these past years successful. We didn't always agree but in the end the decisions that were made were made based on good information, based on what and how does it benefit the people of this State. I appreciate the support you have given me and members of our staff.

Thank you."

The President: "Next I have the privilege of introducing Superintendent of Public Instruction, Terry Bergeson. During her twelve years as Washington Superintendent of Public Instruction, Dr. Terry Bergeson has striven to transform the

teaching profession in our State and to ensure all students achieve a diploma which prepares them for success in the twenty first century.

Terry's distinguish career has covered every aspect of the education profession during which she worked tirelessly to build a partnership between legislators, educators, parents and community leaders. She has been active as a classroom teacher and councillor in public schools. Within the National Education Association and Washington Education Association she has been active. She has served as the Executive Director of the Central Kitsap School District and then the Washington State Commission on Student Learning.

As our Superintendent of Public Instruction, Dr. Bergeson worked to strengthened standards and accountability, and to improve student achievement and make Washington a national leader in its professional support for our teachers. Under her leadership, students in every ethnic group have improved their academic performance with the most notable improvements coming from students in traditionally under performing populations. For the sixth consecutive year, Washington has the highest SAT scores for states where more than half of all students take the test.

We have worked closely with Superintendent Bergeson in recent years on the Legislative Youth Advisory Council. The young men and women in that program are a very active group and will serve as an important voice in the proceedings of the Legislature especially as legislative proposals relate to young people.

She has also been very supportive and an advocate for international teacher and student exchange programs especially with Spain. Dozens of Washington teachers have gone to the University of Castilla-La Manch in Spain to improve their Spanish language teaching skills as well as to immerse themselves and learn more about the Spanish culture. Many of our schools have welcomed teachers from Spain as well under her leadership. Students of the State of Washington have truly been the beneficiaries of these exchanges.

So I would like to thank you, Terry Bergeson for your incredible service to our State and most importantly to your dedication to our kids."

Terry Bergeson: "Thank you very much, Lieutenant Governor, Speaker Pro Tem, our wonderful Governor Gregoire, all of my fellow elected official – those who will be staying, and my congratulations to Randy Dorn and to the other newly elected officials taking the new roles they are taking. And to those of you who are here in the House and the Senate – thank you. Congratulation to the people who just arrived. There are some wonderful new additions to the group. To those of you who are continuing to serve I wish you well this year.

For me, thank you for doing this today. It's a wonderful thing to recognize our service to the people of the State of Washington. There has been nothing that has been a more exciting challenge and a greater honor in my life then to be the State Superintendent of Public Instruction. To be the constitutional officer who oversees the paramount duty of the

State of Washington, which is in our wonderful constitution, the strongest language in the United States of America. To protect the able education of children regardless of where they live in our State, regardless of their background. I have tremendously enjoyed the partnership which I have had with the House and the Senate, with you, Chris and with Gary Locke and the governors before you. In joining forces to improve the opportunities for the children of this State. We have done a great job. I have many people in the audience who I have worked within the House and Senate who have a deep caring for children with disabilities, for the gifted children who sometimes are forgotten because we think they are so strong. But they are only strong if they have the opportunity to fly, to find their way in this world. We need to get access for those children – particularly poor children and children of color. I used to run the gifted program in Central Kitsap. At first I didn't like gifted education because the kids I had always taught never got into the programs. Well today they do. Today we have hundreds of young people in advanced placement programs because of the grants you have helped me get from the Federal government and because of the money which you have invested in advanced placement. We have children from our migrant communities and children from rural and intercity poverty taking and passing advanced placement exams because they are getting access to strong academic programs. They are going to soar. We have children from military families and children who are in foster care who we have worked so hard to make sure that they have an opportunity to have some stability in the schools by changing some of our rules and providing transportation and support. The new building bridges program that we just passed is really for the first time concentrating on ways to find the early warning systems of children who are beginning to disengage in our schools, catch them before we lost them and intervene in ways that are powerful. There are consortia all across the State of wonderful people from the Social and Health Services, community and school people working together to keep these kids, to educate them well and to keep them engaged and interested, and knowing that we love them, that we care about them in our schools.

There are so many things that come through the State Superintendent's Office which relate to children from all different backgrounds, their safety, the schools that they are in, the capital construction. We have wonderful new career and technical legislation which you passed last year which is going to change the face of education and open pathways for young people who need a rigorous future but they need a hands-on learning environment. We have done miracles in our State in the last decade and a half. It has been our partnership together which has made that happen. I want to thank you for the support that you have given me and the strength that you have had to stay with our standards because as I talk about all these different groups of children, the big thing we have done is to take our school system from a place where many kids fell through the cracks because everyone taught what they thought they wanted to teach. Now we have really strong academic standards. We had a really good fight about math and science.

And we have revised those standards and now we have great math and science standards. They are going to take kids to a whole new level of heights. Over 93% of our kids met the reading and writing standards, and you had the courage to stay with me and with the educators on the graduation requirements that people thought would be very difficult and were very challenging. But children made it. And kids made it that no one thought would make it. We had three thousand teachers this week at the yearly conference I started when I was with the Commission on Student Learning. A young woman from Selah came up to me. She told me her school district had fifty children last Fall who were not going to make it. The teachers started working with those children and all fifty of those children graduated. She found one young man who could not read or write at all. They worked together for eight weeks after school and during the school day, and it just popped. He learned to read and he learned to write. It was in there and this young man connected. No one knew how bad off he was, he passed both the tests and now he is on his way to college. You have helped me and everyone in the State make that happen. I thank you for that because we are better because of it. Our future is brighter because of it.

Doug said it, and I love my work with Doug on the Board of Natural Resources but as we look into the future that this is going to be such a challenging year for you. I hate to leave the work and the people but I don't miss having to make some of the decisions you are going to be struggling with, with the budget crisis which we are in. But we are going to come out of the crisis because we are Americans. We are going to have something new at the national level. We have dug a hole for ourselves and we cannot leave our kids in that hole. We are going to find our way out of it. This State is strong and resilient, and we will come back. As you make your decisions about education funding, we have good information now about how to fund schools. A group of your colleagues have helped to create that new structure. There will not be a lot of money to do anything about it at this point other than to get the policy direction set. But our school need to remain an island of safety and stability and place of learning for every child in our State. The most vulnerable families are going to have the most difficulty in the times which we face. So as you struggle with your decisions, I would urge you to keep your hearts where I believe they always are for the children and their education in the State of Washington.

Thank you for giving me the opportunity to serve this State. I'm not done, I don't have a Plan B because I didn't plan to lose. But I am making my Plan B. I would love to help our new president fix 'No Child Left Behind'. He says 'mend it, don't end it'. I don't know where I'm going but I will still be involved with children and education. I will never forget you.

Thank you. And thank you for doing this for all of us today."

The President introduced Teri Murphy wife of retiring State Treasurer Mike Murphy.

Mr. President: "Mike Murphy's distinguished career of public service began with a tour of duty in the military after which he was hired by the Office of the State Treasurer where he served in various capacities for fifteen years. He was appointed to the position of Thurston County Treasurer in the Spring 1987 and was subsequently elected and re-elected to that office where he served until he was elected Washington's twenty-first State Treasurer in 1996. As State Treasurer, Mike Murphy has been responsible for our State's treasury portfolio and the local government investment pool. As the chair of the State Finance Committee, he has been responsible for the management of the State's outstanding debt and has served as one of ten voting members of the State Investment Board which manages more than 81.9 billion dollars in investments.

Treasurer Murphy helped institute innovative new ways to help local governments take advantage of the services of the State Treasurer for their debt issuance. He also oversaw the development of the Guaranteed Education Tuition or GET program which is the fastest growing pre-paid college tuition in the nation. During the last twelve years, Mike has proposed smart financing packages for projects like the new Tacoma Narrows Bridge where the State saved over 416 million dollars by using bond insurance rather than concession financing through a public-private partnership.

He also spoke out strongly against the public financing proposals which he felt were unsound. In fact, he has been more than willing to take on politicians and issues, myself included, and not think twice about it. When Treasurer Murphy felt the financing being considered was not in the best interest of the State, he was often the first to speak up. In the case, against me he was wrong. Whether constituent, reporter, lobbyist or politician - they knew that with Mike Murphy what you see is what you get and what you get is straight talk.

Since I also sit on the Finance Committee and have had the opportunity over the years to work with Treasurer Murphy, I know firsthand that he keeps things very interesting despite what can be some dry topics. You might say he puts a little fire in finance. Taking the boring out of bond sales. I think he wrote this. In fact no one moves money like Mike Murphy and we will owe him a great deal of gratitude. Actually in truth, Mike, you've done an incredible job; your integrity and innovative style and your dedication to service is second to none."

Mike Murphy: "'Thank you, Brad. I am not going to do the normal protocol thing. I am just going to say 'dear friends'.

I started in these halls in 1972. And true to the 'Murphy Tradition' I'm about ready to cry so please bear with me. I have had a really fun time here. I must thank my wife Teri. And most importantly the staff of the State Treasurer's Office. These are the folks who invest billions, borrow hundred of millions for all of us. We just recently had a bond issued last week. We were wanting to issue 860 million dollars. You had already authorized that amount. After evaluating where

the markets are today, we had to issue a smaller number. So we issued 400 million dollars instead of the 860 million dollars. We did get you a good rate though. And our bond rating was reaffirmed. I was very pleased to see that, because given the future budget deficient issues, they could very well have downgraded our State. But we worked very hard to ensure we are a strong AA State. We are good so far.

I wanted to give some special thank you to the Speaker, Mr. Chopp. When I came in office in 1997, the Legislature had already decided what you were going to do with the Tacoma Narrows Bridge. I got a briefing by the DOT and they said 'Murph, it's not your deal'. I said 'thanks, I have other things to do'. So I went about my business until I started getting sued. I don't know why they were suing me because it was somebody else's deal. Well, as it turned out, I didn't like being sued, whether as an individual or as an elected official. So I went to a number of my colleagues in the Legislative branch and said 'okay I can do this a little cheaper than what you planned'. And they said 'Murphy, the train left town a long time ago, you weren't on it, forget it'. But I said 'I can save you a whole lot of money'. They said 'we don't care, we are not revisiting that issue. That issue has been done. We're over it'. So finally I got to thinking about what was the next mega-project coming down the road. That's probably the 520 highway, who's district is on the western end of that? Frank Chopp. So I went up and had a chat with Frank and I was prohibited by SCC regulations from speaking publicly about that because I act as an issuer for the State. So we helped Frank, we gave him the numbers and we were so pleased to be able to help with that financing because by going publicly funded, we saved you 416 million dollars. That was a whole lot of fun, and Frank, thank you so much for leadership.

I have had a very fun time working in government. We are leaving this afternoon. I'm taking the afternoon off. Heading down through California to our home in Arizona. I wish you all very much luck during this session. I thank you much for your kindnesses. I think I have friends wherever I look out here. We have tried to disagree without being disagreeable. We hope we have succeeded. Thank you."

The President invited everyone to the State reception room to greet the honorees.

MOTION

On motion of Representative Kessler, the Joint Session was dissolved.

The Speaker (Representative Morris presiding) assumed the chair.

The Sergeant at Arms of the House and the Sergeant of Arms of the Senate escorted President of the Senate Owen and members of the Washington State Senate from the House Chamber.

There being no objection, the House advanced to the eleventh order of business.

MOTION

On motion of Representative Kessler, the House adjourned until 11:15 a.m., January 14, 2009, the 3rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk